

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Daren A. Miller
Shawnie Miller
Debtor(s)

Bankruptcy Case No.: 16-23678-JAD
Issued Per Dec. 7, 2017 Proceeding
Chapter: 13
Docket No.: 50 – 18, 49
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 28, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,741 as of December 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: December 11, 2017

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Daren A. Miller
 Shawnie Miller
 Debtors

Case No. 16-23678-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 3
 Total Noticed: 61

Date Rcvd: Dec 11, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 13, 2017.

db/jdb
 cr +Daren A. Miller, Shawnie Miller, 66 Mainsgate Street, Pittsburgh, PA 15205-2255
 +Borough of Ingram, 437 Grant Street, 14th Floor, Frick Building,
 Pittsburgh, PA 15219-6101
 cr +Peoples Natural Gas Company LLC, Attention: Barbara Rodgers, 375 North Shore Drive,
 Pittsburgh, PA 15212-5866
 14315345 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: Americredit Financial Services dba GM Financial, PO Box 183853,
 Arlington TX 76096)
 14313354 +Allegheny Health Network, PO Box 3475, Toledo, OH 43607-0475
 14313355 +Allegheny Clinic, 4 Allegheny Center, 10th Floor, Pittsburgh, PA 15212-5255
 14313356 +Allegheny General WPH Pain, PO Box 951915, Cleveland, OH 44193-0021
 14307527 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853
 14298310 +AmeriCredit/GM Financial, Po Box 183853, Arlington, TX 76096-3853
 14334301 +Borough of Ingram, c/o Jeffrey R. Hunt, Esquire, Goehring, Rutter & Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14351952 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 (address filed with court: Columbia Gas of PA, PO Box 117, Columbus, OH 43216)
 14313362 +Citizens Bank, PO Box 42023, Providence, RI 02940-2023
 14313363 +Convergent, PO Box 9800, Pompano Beach, FL 33075-0800
 14298319 +Credit Management, LP, Attn: Bankruptcy, PO Box 118288, Carrollton, TX 75011-8288
 14298320 +Creditech/Cbalv, Attn:Collections, Po Box 99, Bangor, PA 18013-0099
 14313375 +Dept of Labor & Industry, UI Payment Services, PO Box 67503, Harrisburg, PA 17106-7503
 14370425 Directv, LLC, by American InfoSource LP as agent, PO Box 5008,
 Carol Stream, IL 60197-5008
 14313377 Doman Auto, 1309 Edgebrook Avenue, Pittsburgh, PA 15226
 14298326 +Doman Auto & Marine Sales, Inc., 1308 Edgebrook Avenue, Pittsburgh, PA 15226-1408
 14298329 +Fed Loan Serv, Po Box 06010, Harrisburg, PA 17106-0610
 14313384 ++JC CHRISTENSEN & ASSOC, PO BOX 519, SAUK RAPIDS MN 56379-0519
 (address filed with court: JC Christensen & Associates, PO Box 519, Sauk Rapids, MN 56379)
 14313385 +Jordan Tax Service, 102 Rahway Rd, Canonsburg, PA 15317-3349
 14345733 NAVIENT SOLUTIONS, INC., P.O. BOX 9640, WILKES-BARRE, PA 18773-9640
 14313393 +PHH Mortgage Corp, c/o Phelan Hallinan Diamond & Jones, 1617 JFK Blvd, Suite 1400,
 One Penn Center Plaza, Philadelphia, PA 19103-1823
 14313391 +Pediatric Cardiology of Western PA, Suite 204, 3500 Brooktree Rd, Wexford, PA 15090-9277
 14313392 +Peoples, PO Box 644760, Pittsburgh, PA 15264-4760
 14347954 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 14313394 +Riverfront FCU, 1700 Jane Street, Pittsburgh, PA 15203-1812
 14313395 +Safe Auto Ins. Co., 4 Easton Oval, Columbus, OH 43219-6010
 14313397 +State Collection Service Inc., 2509 S Stoughton Rd, Madison, WI 53716-3314
 14298335 +Trident Asset Management, Po Box 888424, Atlanta, GA 30356-0424
 14373028 U.S. Department of Education, c/o Fedloan Servicing, P.O. Box 69184,
 Harrisburg, PA 17106-9184
 14313400 +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
 14313399 +Universal Fidelity LP, PO Box 941911, Houston, TX 77094-8911
 14313402 Waste Management, PO Box 43470, Philadelphia, PA 19101
 14313403 +West Penn Eye Associates PC, Mellon Pavillion, Suite M-25, 4815 Liberty Avenue,
 Pittsburgh, PA 15224-2156

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Dec 12 2017 01:41:21
 Capital One Auto Finance, a division of Capital On, c/o Ascension Capital Group,
 P.O. Box 165028, Irving, TX 75016, UNITED STATES 75016-5028
 cr E-mail/PDF: rmscedi@recoverycorp.com Dec 12 2017 01:35:24
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,
 Miami, FL 33131-1605
 14298311 +E-mail/Text: bankruptcy@cavps.com Dec 12 2017 01:32:06 Calvary Portfolio Services,
 500 Summit Lake Ste 400, Valhalla, NY 10595-2322
 14301571 +E-mail/Text: bankruptcy@cavps.com Dec 12 2017 01:32:06 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 14298313 +E-mail/Text: bk.notifications@jpmchase.com Dec 12 2017 01:31:13 Chase Auto Finance,
 National Bankruptcy Dept, 201 N Central Ave Ms Az1-1191, Phoenix, AZ 85004-1071
 14313361 +E-mail/Text: compliance@chaserec.com Dec 12 2017 01:32:32 Chase Receivables,
 1247 Broadway, Sonoma, CA 95476-7503
 14298314 +E-mail/Text: ccusa@ccuhome.com Dec 12 2017 01:30:52 Credit Coll USA, Ccusa,
 16 Distributor Dr Ste 1, Morgantown, WV 26501-7209
 14298316 +E-mail/Text: bankruptcy_notifications@ccsusa.com Dec 12 2017 01:32:30
 Credit Collections Svc, Po Box 773, Needham, MA 02494-0918
 14298321 +E-mail/Text: electronicbkdocs@nelnet.net Dec 12 2017 01:31:51 Dept Of Ed/Nelnet,
 Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
 14298325 +E-mail/Text: bankruptcynotices@dcicollect.com Dec 12 2017 01:32:15 Diversified Consultant,
 Dci, Po Box 551268, Jacksonville, FL 32255-1268

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 61

Date Rcvd: Dec 11, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14313379 +E-mail/Text: kb Burkley@bernsteinlaw.com Dec 12 2017 01:32:27 Duquesne Light,
Payment Processing Center, Pittsburgh, PA 15267-0001
14376575 +E-mail/Text: kb Burkley@bernsteinlaw.com Dec 12 2017 01:32:28 Duquesne Light Company,
c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C.,, 707 Grant St., Suite 2200, Gulf Tower,,
Pittsburgh, PA 15219-1945
14298327 +E-mail/Text: bankruptcies@escallate.com Dec 12 2017 01:30:52 Escallate LLC,
Attn:Bankruptcy, 5200 Stoneham Rd Ste 200, North Canton, OH 44720-1584
14298330 +E-mail/Text: fnb.bk@fnfg.com Dec 12 2017 01:32:07 First Niagara Bank, 1 Hudson City Ctr,
Hudson, NY 12534-2355
14313386 +E-mail/Text: bnc-capio@quantum3group.com Dec 12 2017 01:31:35
Law Offices of M.Blum & Assoc., 2222 Texoma Pkwy, Suite 160, Sherman, TX 75090-2482
14298331 +E-mail/PDF: pa_dc_claims@navient.com Dec 12 2017 01:35:39 Navient, Attn: Claims Dept,
Po Box 9500, Wilkes-Barr, PA 18773-9500
14310521 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 12 2017 01:52:59
Orion Portfolio Services LLC, c/o PRA Receivables Management, LLC, PO Box 41021,
Norfolk, VA 23541-1021
14313389 +E-mail/Text: csc.bankruptcy@amwater.com Dec 12 2017 01:32:31 PA American Water,
PO Box 578, Alton, IL 62002-0578
14376712 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 12 2017 01:41:23
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14298333 +E-mail/Text: bankruptcy@loanpacific.com Dec 12 2017 01:32:32 Pacific Union Financia,
1603 Lbj Fwy Ste 500, Farmers Branch, TX 75234-6071
14373037 +E-mail/Text: bankruptcy@loanpacific.com Dec 12 2017 01:32:32 Pacific Union Financial, LLC,
1603 LBJ Freeway, Ste 500, Farmers Branch, TX 75234-6071
14315493 E-mail/Text: bnc-quantum@quantum3group.com Dec 12 2017 01:31:18
Quantum3 Group LLC as agent for, CF Medical LLC, PO Box 788, Kirkland, WA 98083-0788
14299216 E-mail/PDF: rmscedi@recoverycorp.com Dec 12 2017 01:35:24
Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
Miami, FL 33131-1605
14298334 +E-mail/Text: bankruptcy@sw-credit.com Dec 12 2017 01:31:44 Southwest Credit Systems,
4120 International Parkway, Suite 1100, Carrollton, TX 75007-1958
14319442 +E-mail/Text: electronicbkydocs@nelnet.net Dec 12 2017 01:31:51
U.S. Department of Education C/O Nelnet, 121 S 13TH ST, SUITE 201, LINCOLN, NE 68508-1911
TOTAL: 25

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Duquesne Light Company
cr Pacific Union Financial, LLC
14313378 Doman Sales
cr* +AmeriCredit Financial Services, Inc. dba GM Financ, PO Box 183853, Arlington, TX 76096-3853
14313357* +AmeriCredit/GM Financial, Po Box 183853, Arlington, TX 76096-3853
14298312* +Calvary Portfolio Services, 500 Summit Lake Ste 400, Valhalla, NY 10595-2322
14313358* +Calvary Portfolio Services, 500 Summit Lake Ste 400, Valhalla, NY 10595-2322
14313359* +Calvary Portfolio Services, 500 Summit Lake Ste 400, Valhalla, NY 10595-2322
14313360* +Chase Auto Finance, National Bankruptcy Dept, 201 N Central Ave Ms Az1-1191,
Phoenix, AZ 85004-1071
14298315* +Credit Coll USA, Ccusa, 16 Distributor Dr Ste 1, Morgantown, WV 26501-7209
14313364* +Credit Coll USA, Ccusa, 16 Distributor Dr Ste 1, Morgantown, WV 26501-7209
14313365* +Credit Coll USA, Ccusa, 16 Distributor Dr Ste 1, Morgantown, WV 26501-7209
14298317* +Credit Collections Svc, Po Box 773, Needham, MA 02494-0918
14298318* +Credit Collections Svc, Po Box 773, Needham, MA 02494-0918
14313366* +Credit Collections Svc, Po Box 773, Needham, MA 02494-0918
14313367* +Credit Collections Svc, Po Box 773, Needham, MA 02494-0918
14313368* +Credit Collections Svc, Po Box 773, Needham, MA 02494-0918
14313369* +Credit Management, LP, Attn: Bankruptcy, Po Box 118288, Carrollton, TX 75011-8288
14313370* +Creditech/Chalv, Attn:Collections, Po Box 99, Bangor, PA 18013-0099
14298322* +Dept Of Ed/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
14298323* +Dept Of Ed/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
14298324* +Dept Of Ed/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
14313371* +Dept Of Ed/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
14313372* +Dept Of Ed/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
14313373* +Dept Of Ed/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
14313374* +Dept Of Ed/Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
14313376* +Diversified Consultant, Dci, Po Box 551268, Jacksonville, FL 32255-1268
14298328* +Escallate LLC, Attn:Bankruptcy, 5200 Stoneham Rd Ste 200, North Canton, OH 44720-1584
14313380* +Escallate LLC, Attn:Bankruptcy, 5200 Stoneham Rd Ste 200, North Canton, OH 44720-1584
14313381* +Escallate LLC, Attn:Bankruptcy, 5200 Stoneham Rd Ste 200, North Canton, OH 44720-1584
14313382* +Fed Loan Serv, Po Box 60610, Harrisburg, PA 17106-0610
14313383* +First Niagara Bank, 1 Hudson City Ctr, Hudson, NY 12534-2355
14298332* +Navient, Attn: Claims Dept, Po Box 9500, Wilkes-Barr, PA 18773-9500
14313387* +Navient, Attn: Claims Dept, Po Box 9500, Wilkes-Barr, PA 18773-9500
14313388* +Navient, Attn: Claims Dept, Po Box 9500, Wilkes-Barr, PA 18773-9500
14313390* +Pacific Union Financia, 1603 Lbj Fwy Ste 500, Farmers Branch, TX 75234-6071
14313396* +Southwest Credit Systems, 4120 International Parkway, Suite 1100,
Carrollton, TX 75007-1958
14313398* +Trident Asset Management, Po Box 888424, Atlanta, GA 30356-0424
14313401* +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472

TOTALS: 3, * 36, ## 0

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 61

Date Rcvd: Dec 11, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 13, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 11, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Pacific Union Financial, LLC bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Borough of Ingram jhunt@grblaw.com, cnoroski@grblaw.com
Joshua I. Goldman on behalf of Creditor Pacific Union Financial, LLC bkgroup@kmlawgroup.com
Matthew A. Bole on behalf of Debtor Daren A. Miller mbole@wgsf-law.com, nreyes@wgsf-law.com
Matthew A. Bole on behalf of Joint Debtor Shawnie Miller mbole@wgsf-law.com,
nreyes@wgsf-law.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 9